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Message Text

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ACTION IO-10

INFO OCT-01 ARA-06 EUR-12 EA-06 ISO-00 EB-07 AID-05 L-02

AF-06 NEA-09 COME-00 SIL-01 LAB-04 TRSE-00 DIWY-01

INR-07 INRE-00 NSC-05 NSCE-00 SS-15 SSO-00 USIE-00

PA-01 PRS-01 /099 W
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FM AMEMBASSY LIMA
TO SECSTATE WASHDC NIACT IMMEDIATE 4341
INFO USUN NY IMMEDIATE 505
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY CANBERRA
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY WELLINGTON
USMISSION OECD PARIS
USMISSION EC BRUSSELS
USMISSION GENEVA

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FROM USDEL UNIDO II CONFERENCE

E.O. 11652: NA
TAGS: EGEN, UNIDO
SUBJ: UNIDO II: COMMITTEE I: CERDS ISSUE RE SOVEREIGNTY
OVER NATURAL RESOURCES, NATIONALIZATION AND INTER-
NATIONAL OBLIGATIONS
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ATTN: EB/OT/GCP, EB/IFD/OIA L

SUMMARY: COMMITTEE I OF UNIDO II DISCUSSED PRINCIPLE OF A STATE'S RIGHT OF SOVEREIGNTY OVER ITS NATURAL RESOURCES AND NECESSITY OF ITS OBSERVANCE OF INTERNATIONAL OBLIGATIONS IN EXERCISING ITS RIGHT. LDCS OPPOSED ANY REFERENCE TO INTERNATIONAL OBLIGATIONS. AS COMPROMISE FRANCE BACKED BY NETHERLANDS PROPOSED REFERENCE TO READ ALONG LINES OF "INTERNATIONAL OBLIGATIONS FREELY CONSENTED TO BY THEM." REQUEST URGENT RESPONSE WHETHER US GOVERNMENT COULD GO ALONG WITH SUCH A QUALIFICATION OF "INTERNATIONAL OBLIGATIONS" AND IF SO WHETHER US WOULD WISH TO REQUIRE A PARA WHEREBY STATES SUBSCRIBING TO DECLARATION DO FREELY ASSUME INTERNATIONAL OBLIGATIONS. END SUMMARY

1, DISCUSSION TODAY IN COMMITTEE I CENTERED ON "INALIENABLE RIGHT TO EXERCISE FREELY ITS SOVEREIGNTY" PARA OF GP OF 77 DRAFT DECLARATION (PARA 10, PAGE 8 OF ALGIERS TEXT RECEIVED IN DEPARTMENT AND PARA 32 OF TEXT AS CIRCULATED AT UNIDO II). GP OF 77 DELS INSISTED PRINCIPLE EMBODIED IN PARA FUNDAMENTAL TO ALL INDUSTRIALIZATION.

2. AFTER DISCUSSION BY GP B SPOKESMAN (SWISS) ON NEED FOR RECOGNITION IN PARA THAT SOVEREIGNTY EXERCISED IN CONTEXT OF A STATE'S INTERNATIONAL OBLIGATIONS, US PROPOSED INSERTION OF FOLLOWING LANGUAGE AFTER WORDS "AS AN EXPRESSION OF THIS RIGHT": "STATES TAKING MEASURES IN THE EXERCISE OF THE FOREGOING RIGHTS SHALL FULFILL IN GOOD FAITH THEIR INTERNATIONAL OBLIGATIONS." THIS PROPOSAL TAKEN DIRECTLY FROM AMENDMENT TO CHAPTER II, ARTICLE 2, PARA 3 OF CERDS PROPOSED BY US AND OTHERS IN 29TH UNGA.

3. US PROPOSAL REJECTED BY VARIOUS GP OF 77 AND GP D COUNTRIES, SPECIFICALLY JAMAICA, RUANDA, ALGERIA, ZAIRE, GUINEA, SOMALIA, LIBYA, GUINEA BISSAU, MONGOLIA, USSR, BULGARIA, CHINA, AND ALBANIA. IN WAKE OF GP OF 77 COMMENTS FRANCE BACKED BY NETHERLANDS ASKED GP OF 77 IF IT COULD ACCEPT REFERENCE TO INTERNATIONAL OBLIGATIONS "FREELY CONSENTED TO BY THEM" OR IN WORDS OF NETHERLANDS "FREELY ASSUMED."

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4. GP OF 77 DELS MADE NO REPLY TO FRENCH AND DUTCH PROPOSALS. MEETING CLOSED AT THIS POINT BY COMMITTEE I CHAIRMAN, AMBASSADOR BRILLANTES OF PHILIPPINES, WHO CALLED FOR MEETING OF GP SPOKESMEN AND ONE OTHER REPRESENTATIVE FROM EACH GROUP LATER THIS AFTERNOON. US DEL EXPECTED TO ATTEND ALONG WITH SWISS GP B SPOKESMAN.

5. US DEL INFORMED BY UK DEL THAT IN EC CAUCUS THIS MORNING,

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FRANCE AND NETHERLANDS HAD PROPOSED "INTERNATIONAL OBLIGATIONS FREELY ASSUMED" LANGUAGE, BUT THAT IT HAD BEEN REJECTED BY UK, FRG, AND BELGIUM. US DEL ALSO HAD EXTENSIVE CONVERSATION WITH ALGERIAN DEL WHO INSISTED ON ABSOLUTE NECESSITY OF INCLUSION OF THE "SOVEREIGNTY OVER NATURAL RESOURCES PRINCIPLE" IN UNIDO DECLARATION, BUT SAID AT LEAST MOMENT IN DISCUSSION THAT THEY WOULD HAVE TO CONSIDER POSSIBILITY OF INCLUSION OF SOME LANGUAGE WHICH ALLAYED GP B'S UNFOUNDED FEARS RE LDS OBSERVANCE OF THEIR INTERNATIONAL OBLIGATIONS.

6. ACTION REQUESTED: ON ASSUMPTION THAT FRENCH/DUTCH PROPOSED LANGUAGE MAY BE BASIS FOR GP OF 77 OFFER OF COMPROMISE LANGUAGE, CAN US ACCEPT REFERENCE TO "INTERNATIONAL OBLIGATIONS" QUALIFIED BY SUCH A PHRASE AS "FREELY ASSUMED"?
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